

## **MINUTES OF A REGULAR MEETING**

### **BROOKLYN CITY COUNCIL**

**May 22, 2006**

**7:00 p.m.**

The Mayor, Council and all in attendance recited the Pledge of Allegiance.

President Albier: "Mr. Fisk, would you call the roll please?"

Clerk Fisk: "Kathy Pucci."  
"Rita Brown."

Councilwoman Pucci: "Here."

President Albier: "Mrs. Brown won't be here this evening, she injured her ankle."

Clerk Fisk: "Colleen Gallagher."  
"Greg Frey."  
"Craig Patton."  
"John Frey."  
"Rich Albier."

Councilwoman Gallagher: "Here."  
Councilman G. Frey: "Here."  
Councilman Patton: "Here."  
Councilman J. Frey: "Here."  
Councilman Albier: "Here."

President Albier: "Tonight's agenda. We'll have a proclamation from the Mayor; then we'll have Resolution 2006-5, the first reading, Adopting the Tax Budget for fiscal year 2007; Resolution 2006-6, To oppose the Constitutional tax and expenditure limitation proposals; Ordinance 2006-35, the second reading, Authorizing inter-fund transfers and advances during 2006; Ordinance 2006-37, the first reading, Amending Chapter 737 of the Codified Ordinances of the City of Brooklyn, Ohio entitled 'Solicitors and Peddlers'; Ordinance 2006-38, the first reading, Creating a new Chapter 763 entitled 'Public Dance Halls; Teen Dance Clubs' of the City of Brooklyn Codified Ordinances, in order to regulate dance halls and teen dance clubs; Ordinance 2006-39, Authorizing the City of Brooklyn, Ohio to become a member of, and adopting the Code of Regulations of, and directing the Mayor to enter into the Membership Agreement, the Master Services and Consulting Agreement, the Master Services Products Agreement, with the Northeast Ohio Sourcing Office, known as NEOSO; Ordinance 2006-40, the first reading, Authorizing the Mayor of the City of Brooklyn to pay an incentive to employees able to opt-out of medical coverage under the city's medical plan; Ordinance 2006-41, Authorizing the Mayor to enter into an agreement with Jerome and Barbara Petro for the purchase of certain real property known as 8300 Memphis Avenue, property number 431-20-005, the west property, and property number 431-21-035, the east property, and any related properties owned by the Petros located within one mile of the future Brooklyn Fire Station. Now I'll entertain a motion to adopt the, approve the minutes of May 8<sup>th</sup>. Can I have a motion?"

Councilman J. Frey: "Move to approve."

Councilman Patton: "Second."

Clerk Fisk: "To approve the minutes of May 8<sup>th</sup>, Kathy Pucci."

Councilwoman Pucci: "I'm going to abstain. I've been out of town for the last four and half days, and I was able to get through everything in my packet except the minutes."

Clerk Fisk: "Colleen Gallagher."  
"Greg Frey."  
"Craig Patton."  
"John Frey."  
"Rich Albier."

Councilwoman Gallagher: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Patton: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

President Albier: "At this point in the meeting we're going to have a proclamation by the Mayor. I turn it over to Mayor Patton."

Mayor Patton: "I wonder if John Ginnard could come forward please. Thanks for coming tonight John. We have a Mayor's Proclamation. To recognize Brooklyn High School senior John Ginnard on designing the cover for the Domestic Violence pamphlet. Whereas, Brooklyn High School students were asked to compete

MINUTES OF A REGULAR MEETING  
BROOKLYN CITY COUNCIL  
May 22, 2006

for \$100 scholarship by composing a cover for the City of Brooklyn Domestic Violence brochure. And whereas, the Witness Victim Division of Cuyahoga County served as judges and chose John Ginnard as the winner. And whereas, John is a senior at Brooklyn High School with a 3.1 grade point average, and is currently tutoring special needs children at school. He plans to go to college for a degree in education. And whereas, John has always enjoyed drawing and helping people, even helping to clean the skate park when it was vandalized. Now, therefore, I, Mayor Kenneth E. Patton, and on behalf of the Brooklyn City Council and the residents of the City of Brooklyn, do hereby extend sincere congratulations and special thank you to John Ginnard on earning this scholarship, and for being concerned and thoughtful citizen within your school and community. You are to be commended. And also with this proclamation is a check for \$100. Congratulations."

President Albier: "We'll now have the public portion of the Council meeting. Anybody that has anything to say for the good and welfare of the City of Brooklyn, please step forward and state your name and address."

**Shirley Palumbo:** "My name is Shirley Palumbo, and I live at 10218 Micka Drive, and I'm representing the Brooklyn Animal Shelter. It's time for our annual summer dog walk through the beautiful Brooklyn Veteran's Memorial Park. Saturday, May 27<sup>th</sup> is the Brooklyn Animal Shelter's Bark in the Park dog walk and picnic. It'll be held at the pavilion and Senior Center, right back there. Registration begins at 10 a.m., the walk begins at 11 a.m. There will be a picnic, fin contest, and face painting. Pledge forms available at City Hall, the Brooklyn Library, at brooklynshelter.org, with prizes awarded for the most pledges. Raise over \$50 and receive a free t-shirt. Join us for the festivities with or without a dog. Thank you."

President Albier: "Thank you Mrs. Palumbo. Does anybody else care to speak? If not, we'll move onto reports from committees, commissions and board. The first is the Public Works Committee, and that's chaired by Mr. Greg Frey."

Councilman G. Frey: "Yes, at the last Council meeting I asked if we could have Roger from RFC here for the next meeting. I'd like to call... Kathy, are you going... Mrs. Pucci..."

Councilwoman Pucci: "That's okay."

Councilman G. Frey: "Your Finance Committee meeting, are you planning on starting at the regular time at the next Council meeting?"

Councilwoman Pucci: "Yes, we are."

Councilman G. Frey: "Okay, they I would like to call a 6 p.m. Public Works meeting in the Conference Room to get a final update on the fire station construction schedule, problems, issues, just to bring Council up to date on where we're at, where we're going, so that we could keep the public informed. And that's the end of that report."

President Albier: "Thank you Mr. Frey. Next is the Public Safety Committee, chaired by Mrs. Colleen Gallagher."

Councilwoman Gallagher: "No report."

President Albier: "Thank you Mrs. Gallagher. Next is the Planning Commission, chaired by Mr. John Frey."

Councilman J. Frey: "Thank you Mr. Albier. Tom, do you have anything coming up for the June 1<sup>st</sup> 4:30 Planning Commission meeting?"

Comm. Ockington: "We do, I do not have an agenda with me though."

Councilman J. Frey: "But there will be a meeting June 4<sup>th</sup>, 4:30, that's first Thursday in June in the Brooklyn Magistrate's Court. That's it, the Planning Commission."

MINUTES OF A REGULAR MEETING  
BROOKLYN CITY COUNCIL  
May 22, 2006

President Albier: "Thank you Mr. Frey. Next is the Rec Board, chaired by Mr. Craig Patton."

Councilman Patton: "Thank you Mr. Albier. We did have a Rec Board meeting on May 15<sup>th</sup> at 6:30 in the Mayor's Court. We did discuss several things that are upcoming, and as of last week are now passed, as far as sign-ups. We discussed our Day Camp program, which will begin June 19<sup>th</sup> and conclude Friday, July 21<sup>st</sup>. We're all set for that. That will go from the hours of 8 a.m. to 2:45 p.m. daily. Registration fee was \$125. This past weekend we had our super sign-up, which I believe was a big success. I was up there myself, and there was probably several hundred people in and out of that place throughout the day, so I think we're doing pretty well with our programs. Our learn to swim registration for residents was held on May 20<sup>th</sup>. And there's also a lifeguarding class that's going to be going on at the ice rink, or I'm sorry, at the Natatorium on May 13<sup>th</sup>. Cost for that was \$140 and \$130 for residents. We discussed the success of our Spring Swizzle skating exhibition, which we had two weekends ago. And Mrs. Dress gave us an update on the Memorial Day parade, which is May 29<sup>th</sup>. The parade begins at 11:00, we'll start at the High School, and we'll end here at City Hall with ceremonies. So those are the things we've discussed. Our next Rec Board meeting will be September 18<sup>th</sup>, unless otherwise needed and called by the Rec Manager. That's all I have tonight, thank you."

President Albier: "Thank you Mr. Patton. Next is the Finance Committee, chaired by Mrs. Kathleen Pucci."

Councilwoman Pucci: "Thank you Mr. Albier. The Finance Committee met earlier this evening and approved the following items. First, Resolution 2006-5, which we're going to place on first reading this evening. This is our annual Tax Budget. The millage will remain the same, at 6.9 mills. And this is unchanged from the current year. There are, however, some minor changes in the distribution. The 1 mill that was passed for the fire station will no longer go into the General Fund, it will go into the Bond Retirement Fund. And this is since we've already issued the bonds, that 1 mill will be directed right into that fund so that we can make the payments from there. And that would bring Bond Retirement, the total up to 2 mills. The General Fund will go back to the 2.3 mills that it was. The Police Pension will be increased .03, which brings it up to 1.03 mills. The Fire Pension will be reduced very slightly by .05, so that'll be 1.15 mills. And Street Lighting will be increased slightly from .4 to .42. This is only on first reading, so there will be other opportunities to have further discussion on this. Resolution 2006-6, which opposes the Constitutional tax and expenditure limitation proposal. This Constitutional amendment is going to be on the ballot in November. And I think we've stated it a couple times before up here, this would be absolutely disastrous, not only for local governments, but also libraries, parks, colleges and universities. It would limit the spending that these taxing authorities would be able to do, and it would basically take local control away from the elected officials. There has been some talk that the State Legislature is going to take a preemptive action to get this off of the ballot, because there is such an uproar about it. And basically they would remove the local governments and the other local taxing authorities, such as libraries and parks, from it. They would only limit it to the state itself. However, I think it's very important that we do get on record that we are opposed to this type of legislation, and also that we encourage people to vote against this. We have left over from our last meeting, which we're going to adopt this evening, is Ordinance 2006-35. Basically this is two transfers. This is \$243,000 from the Plain Dealer Debt Service to the Bond Retirement Fund, and \$93,800 from the Capital Improvement Fund to the Biddulph PID 9922 Fund. Ordinance 2006-39. This would authorize the city to become a member of a, I guess, is it a Council of Government? I think it is."

Mayor Patton: "Yes."

Councilwoman Pucci: "Okay. A Council of Government that's relatively new. It is the Northeast Ohio Sourcing Office. We listened to a presentation from one of their representatives. And basically this is a way for us to leverage the buying power of many municipalities, very similar to some of the other consortiums that we're involved in. There's no fee for us to join. One item that we're looking at using this is auto parts. So they would give us what pricing they have available, and then based on the size of our fleet, there would be a fee involved, but of course there's no obligation for us to participate, it's only if we would realize a cost savings. So I think this has the potential to save us some money. Ordinance 2006-40, authorizes the Mayor to offer an incentive to employees to opt-out of the medical coverage with the city's medical plan. This is going to be placed on first reading this evening so we can tweak it a little more. Basically, this would offer a 25% of the savings that the city would realize if employees opt-out of our medical coverage. Now we don't want anyone to be without medical coverage, so they would have to prove to us that they, their spouse and

MINUTES OF A REGULAR MEETING  
BROOKLYN CITY COUNCIL  
May 22, 2006

children do have medical coverage elsewhere. And they would still have the opportunity if they had a change in circumstance to get back in our plan. And so basically, this would be for people who, perhaps their spouse works somewhere else and has medical coverage available to them or their children. So this is a bit of an incentive to opt-out of the city's plan to save the city some money. The last item is Ordinance 2006-41, which authorizes the Mayor to enter into an agreement with the Petros to purchase their property on Memphis Avenue. It involves two lots, and the purchase price is \$335,000. This is the property that is directly next to our new fire station that's going up. We did receive some information from Mr. Fisk regarding our notes, and I'm sure Gale's going to cover that more in-depth in his report. So that completes my report, thank you."

President Balbier: "Thank you Mrs. Pucci. Next is Domestic Violence and Legislative Update, chaired by Mrs. Gallagher."

Councilwoman Gallagher: "Thank you Mr. Balbier. A Domestic Violence meeting is scheduled for Wednesday, June 14th at 6:30 at the Senior Center. And then I also have a legislative update from State Rep. Tim DeGeeter. Senate Bill 33, DeGeeter is co-sponsor. Ohioans will receive more protection when using store gift cards through legislation that passed the House of Representatives recently. Senate Bill 33 will require retailers to honor gift cards for at least two years after they are issued. The Bill also bars retailers from charging fees that reduce the value of the cards for the first two years after the cards are issued. This Bill will offer consumers more protection and set ground rules for gift cards in Ohio. Senate Bill 53 imposes a mandatory minimum of three years in prison for persons convicted of illegally manufacturing methamphetamine. This Bill also includes a four year mandatory minimum for those convicted of manufacturing meth near children, and a five year minimum for repeat offenders. Senate Bill 53 will also require retailers to keep products that contain sudaphedrine behind the counter or in a secure area and keep a log of customers who purchase these products. House Bill 397, the legislation tightens regulation on landfills for construction and demolition waste to protect Ohioans' health and the environment, and concludes setbacks from public and private water wells, streams, lakes and reservoirs, state and national, wild, scenic and recreation rivers, local and state parks, state nature preserves, state forests, state wildlife areas, and private property and occupied dwellings; plans for the prevention of fires and explosion, and the control of hydrogen sulfide and other threatening gases; financial assurance for closure and post-closure care. And that completes my report Mr. Balbier."

President Balbier: "Thank you Mrs. Gallagher. Next is the Zoning Board of Appeals, chaired by Mr. Ockington."

Comm. Ockington: "Thank you Mr. Balbier. The Board of Zoning Appeals meets this Thursday, May 25th at 6 p.m. in the Mayor's Court. That concludes my report."

President Balbier: "Thank you Mr. Ockington. That completes the reports from committees, we'll now have the reports of Council, and we start tonight with Mrs. Pucci."

**Councilwoman Kathy Pucci:** "Thank you Mr. Balbier. First I'd like to congratulate John Ginnard for winning the scholarship for the Domestic Violence pamphlet. I had a message from a resident today, Mr. Kappler, regarding... Because I was out of town I did not see this in the paper yesterday myself. But the message was that there was an article about solid waste and the recycling, and it talked about the most cost effective ways for cities to recycle and to recoup the most amount of money from the recyclables. Did you happen to catch that or not?"

Director Kappler: "I was also out of town."

Councilwoman Pucci: "Okay, maybe both of us could read it and get together. One of the things the resident indicated was that there are some newer options for cities now in being able to get more money for the recyclables. And one of the things they stated, and I know we have to keep in mind that every city is different, but they said in general it is not cost effective to collect them all together and send them out like we're doing. But maybe you and I could both read it, and then I'll give you a call."

Director Kappler: "Sure."

MINUTES OF A REGULAR MEETING  
BROOKLYN CITY COUNCIL  
May 22, 2006

Councilwoman Pucci: "And then I'll get back to the resident. Thank you. Before I went out of town, and also while I was out of town, I also received numerous telephone messages regarding the issue of the city hiring a horticulturist. And it was difficult to answer the questions, because Council did not have any information. We heard the same rumors that everybody else did. And I know that the Mayor was not able to comment on it while negotiations were in process. However, in the Finance Committee meeting earlier this evening the Mayor did advise us that he had asked Mr. Shaper to remove that job description from the contract with our Service Department employees. I'm not sure if the Mayor's going to elaborate on that later..."

Director Shaper: "Mrs. Pucci..."

Councilwoman Pucci: "Yes?"

Director Shaper: "The Mayor has asked me to work with the representative from the union to coordinate that."

Councilwoman Pucci: "Okay, and thank you for that clarification. And I guess that's all I have to say right now about it. But I do think that that's good news. I would like to wish everyone a happy Memorial Day. And this is an opportunity for us to pause and reflect on the sacrifices that others have made so that we can all enjoy the freedoms that we have. And as they saying goes, freedom is not free. And that completes my report. Thank you Mr. Albier."

President Albier: "Thank you Mrs. Pucci. Mrs. Gallagher."

**Councilwoman Colleen Gallagher:** "Thank you Mr. Albier. Good evening ladies and gentlemen. I would also like to thank Brooklyn High School senior John Ginnard for designing the cover of our Domestic Violence pamphlet. I have a copy of it here, it's a rough draft. And congratulations on your scholarship award. John did a fantastic job, and you've made a huge impact by your contribution to the victims of domestic violence, especially in our community. So our committee would like to thank you. And I also would like to thank all the students who participated. And special thanks to our committee members, Helen Wilson, Judy Basniak, Robin Lawrence, and Ruth Scarborough, for volunteering your time, and empowering our community through education and awareness. Remember, domestic violence happens to people of all ages, race and gender. My thanks to Councilwoman Kathy Pucci for the legislation she brought forward regarding public dance halls and teen dance clubs. After the problems in No. Olmsted that they have endured, I feel this ordinance is a great tool for enforcing the safety of our children. And a week ago Friday I had the pleasure of attending the animal jam fundraiser, which included five great bands. It was a very enjoyable night, and the food and music were awesome. So thank you for everyone who supported our furry friends. And Mr. Shaper, thank you for drafting up the amended version of our solicitor and peddlers ordinance. And I would like you to notify me in the future when we decide to do the decals over."

Director Shaper: "Certainly."

Councilwoman Gallagher: "Okay? Before they, we do them. Thank you."

Director Shaper: "If you have suggestions..."

Councilwoman Gallagher: "Well I was thinking, I don't know if you seen the one in the Plain Dealer... I don't know if it was in the Sun News or the Plain Dealer, I think..."

Director Shaper: "On Sunday?"

Councilwoman Gallagher: "They were talking about Parma's. They had a real nice decal, I really liked it. So since you work out there, maybe you can get a copy of that."

Director Shaper: "Absolutely."



MINUTES OF A REGULAR MEETING  
BROOKLYN CITY COUNCIL  
May 22, 2006

Councilwoman Gallagher: "Thank you Mr. Shaper. And before the meeting a resident handed a list of addresses of houses that are empty and need tender loving care. So Mr. Ockington, I will pass these on after the meeting. And that completes my report."

President Balbier: "Thank you Mrs. Gallagher. Mr. Greg Frey."

**Councilman Greg Frey:** "Thank you Mr. Balbier. Mrs. Pucci said it very well, let us take time on Memorial Day to remember those that have paid the price. And it's the start of the summer holidays, it's the start of fresh and new. And everything around town is starting to bloom, and the trees are back, and the skies are finally parted a little bit, and the gloom and the doom is gone. So let us go into summer on a very good note, bright and new. Mr. Kappler, I want to congratulate you and the service crew. I've seen the street sweeper out often. I think they're doing an excellent job, trying to keep the streets clean. I encourage you to get them out as often as you can. Clean streets are something that Councilmembers really do appreciate, and so do residents. And so, thank you. Pass that on to the crews, they're doing a good job."

Director Kappler: "I will do that, thank you."

Councilman G. Frey: "And regarding the so called TEL Constitutional amendment, hopefully it'll be pulled off the ballot. This is not about Brooklyn Council trying to get away from spending limitations or anything else, we're pretty prudent about spending money, and we're pretty thoughtful about it as well. This is about a very poorly written attempt to regulate runaway spending, but it's not done properly. It's not written properly. And the offshoot of that is that every taxing entity is going to be punished at the altar of political expediency if this thing were to become law in Ohio. A similar one was passed in Colorado a couple years ago and they're having nightmares about it. They had fire departments that can't buy equipment, they have libraries that can't buy computers, they have school systems that can't hire teachers. It's a nightmare for them. And there may be ways to limit spending, hopefully the State's working on something that's going to help control runaway spending where it exists. But you as citizens need to be aware of the limitations of the Tax Expenditure Limitation amendment. And if it does get to the ballot, think twice before you vote for it, because it can seriously impact, not only the way we do business, the way your schools do business, the way your libraries do business, the way your hospitals do business. It's a very serious thing, and we can't afford to take it lightly. So... I think that's all I want to say tonight, thank you."

President Balbier: "Thank you Mr. Frey. Mr. Patton."

**Councilman Craig Patton:** "Thank you Mr. Balbier. First I'd like to thank Jack Walz and Jeff Kazimour, the owner and coach of the Brooklyn Dodgers, which is a new youth league team here at Brooklyn for inviting me last Thursday to their home opener to throw out the first pitch. It was a great time. We ended up winning. They're still undefeated on the season. It's great to have a travel baseball team, as well as something more for our youth to do back in Brooklyn. So that's a good thing. Next I'd like to also thank Dane Hammond and Bob Kappler for what a great job you guys have done as far as organizing and making sure that the fields have been done, as far as the new dugouts, the new dirt, the cement. It looks great back there. It's going to give a whole new look and make it a lot more enjoyable for our youth, as far as our summer baseball program. It's great fields now for our kids to play on. And I think it's going to be a good place for the parents to enjoy games. So good job on that guys. I was out last week, when I could get out and walk, I got to talk to several residents, as far as what they think of our city. That was my big question last week. How do you like the look of our city. Summer's coming up, what do you think? And to be honest with you, I was really surprised with what I got back. Just about 100% of everybody that I talked to thinks that our city's really starting to shape up nice. The grass has been cut, the flowers are starting to bloom, the trees are coming out, the street sweeper, again, has been out quite often, and I've seen it myself. It's nice to see that people do recognize what we're trying to do, and that they really do pay attention, as far as the beauty of our city. And that is an important thing, and that is something that we're really trying to build on, so... Also I'd like to read a letter once again. It's for supporting our troops. Mrs. Karen DiRienzo, my mother-in-law, will be facilitating a summer long collection of travel size items for our troops. 'Collection bins will be located at the Brooklyn Senior Center, Brooklyn City Hall, and Brooklyn Recreation Center. A list of specific items will be available at the drop-off points. Our troops need our support, and by your generous donations we can let them know that we appreciate everything they are doing. For more information please contact Karen DiRienzo at 216-749-7957.' And with Memorial Day coming up, I think that's something we should

MINUTES OF A REGULAR MEETING  
BROOKLYN CITY COUNCIL  
May 22, 2006

really all try to look into and give something. Because on their day, let's try to give them something to help them out for those serving overseas. I'd like to remind everyone the Relay for Life is June 16-17th at the high school stadium. And last but not least, ladies and gentlemen, I'd like to let all of our residents know that, first of all, with the summer season coming up I think we should start enjoying our parks and recreations, what we have here. Brooklyn has great top notch facilities. Our parks have been trimmed and tightened up, they look great. Our Recreation Center's offering more programs. Let's start using the facilities and the things that we pay for. Okay, the Master Plan proved that, you know, 20-30% of our residents are the only ones that use our facilities. It's a lot of nonresidents. We pay for these things, let's use our facilities. Let's enjoy our parks, let's enjoy things we have for our kids, and let's get the spirit back in Brooklyn. I've noticed that people are starting to walk through the park a little bit more the last couple days here since it stopped raining. I hope I see more of that. Like I said, it's very important that we utilize the things that we pay for. We have low taxes here, and we offer great programs to our residents. So let's try to keep doing that, let's enjoy the weather, let's bust out the grills, have some nice cook-outs, and if you do have one, I prefer Brookside hotdogs, and don't forget to call me. That is all I have, thank you very much Mr. Balbier."

President Balbier: "Thank you Mr. Patton. Mr. John Frey."

**Councilman John Frey:** "Thank you Rich Balbier. A few comments I have. Craig talked about all the beauty of the city, and that's fine. But I'm noticing a tremendous amount of lawns that have excess grass, especially along Biddulph Road. You're going to find some of those treelawns and the front lawns with seven, eight, nine, 10 inches of grass. And I know they're supposed to have that cut. The question is, who's responsible for those large treelawns on Biddulph? Isn't the homeowner responsible for his treelawn?"

Comm. Ockington: "The homeowner is responsible."

Councilman J. Frey: "Because they're leaving some of that go, and I know that we're getting summons out on that, because a few people have called me on it. And they're not getting cut down. You can hardly cut that with your own lawn mower anymore, they're so long. You're going to have to look into that again, Mr. Ockington, or whoever's responsibility it is, to send some notices to these people that have those excess long grass. Do you have people out surveying the city, Tom?"

Comm. Ockington: "Well I'll give my report now I guess. We have been out on high grass and building code violations; but due to the recent inclement weather, we did hold off on re-inspections last week, and we are back on a normal schedule. And the people who are not cutting their grass will either get a ticket or the city will come out and cut it, if they got the five-day notices. The residents we will contact them and urge them to cut their grass."

Councilman J. Frey: "Thank you. I realize there was a tremendous amount of rain last week, all week long. Now some of you folks weren't here to witness that rain, but it was an awful lot of rain, and they couldn't get in the lawns. Even our lawn cutting crew that cuts the lawns for the seniors had problems due to the wetness. And I know they're a little behind right now because of those problems. However, there's no excuse with some of these lawns or treelawns that haven't been cut all year. They haven't even tried. We have to do something about that. When you go down Biddulph, that's one of the main features of Brooklyn, Biddulph Road. And when you've got shabby looking lots, as far as lawns, that should be corrected. Also, I've asked a couple of times, and I think Mrs. Stanton has e-mailed the man in charge of the CEI cutting, the area that parallels Outlook Drive and Winter Lane. That grass is a foot and a half long, and neighbors there are complaining about that, with all the weeds. So maybe they'll get somebody out there from the Illuminating Company to cut that down. Also, Mr. Kappler, when are they going to be winding up Memphis Villas? That's been out now for several weeks."

Director Kappler: "Yes. We can't count last week because we can't lay asphalt in the rain."

Councilman J. Frey: "That's right."

Director Kappler: "It is scheduled for to have that, to finish the intermediate course next week."

Councilman J. Frey: "Very good, thank you. And I want to compliment whoever's responsible for the

MINUTES OF A REGULAR MEETING  
BROOKLYN CITY COUNCIL  
May 22, 2006

dugouts on the ball diamonds, they're doing a great job on that. It's well worth it, it looks good. Did the city crew do that?"

Mayor Patton: "Yes."

Councilman J. Frey: "That was done by city Service Department?"

Director Kappler: "Yes they did."

Councilman J. Frey: "Was there any funding by any of these groups that offer some assistance in maintaining baseball diamonds?"

Mr. Hammond: "No."

Councilman J. Frey: "It's all done out of the city's General Fund."

Mr. Hammond: "It's all done in-house. But Bull and the guys down at the garage built the dugouts, and Don Pesta and Mark Tenaglia did the concrete work."

Councilman J. Frey: "Good job. Thanks for that. And see you all on Memorial Day. I don't know that I'll be marching, I can hardly walk across the street anymore. So good luck to all you marchers, I'll be clapping my hands for you. Have a good day. Everybody have a fine Memorial Day. And you say Brookside hotdogs Craig?"

Councilman Patton: "The best."

Councilman J. Frey: "How many can you do in one day?"

Councilman Patton: "There's Kobi Ashi and there's me."

Councilman J. Frey: "With that I pass."

**President Rich Albier:** "Thank you Mr. Frey. I only have one item. Mayor, would you make sure that our two representatives from the Parma Board will be here to give us their annual report the next Council meeting?"

Mayor Patton: "Yes. They were supposed to be here this evening, but they deferred to next meeting. They wanted to check with Mr. Coleman, the President of the Board."

President Albier: "Okay, thank you. With that, we'll move onto the Mayor's report."

**Mayor Ken Patton:** "Okay, as everyone has mentioned about Memorial Day, it's the 29th, this coming Monday, and the annual ceremony at West Park Cemetery begins at 9:30. The parade begins at Brooklyn High School at 11, and approximately at 11:45 there will be a ceremony at Brooklyn City Hall. Following the events, the Fire Department Burn Unit, and also the Police Department DARE Unit, will be selling hotdogs, chips and soda for a nominal fee at the grande pavilion. Hope everyone can enjoy. Very brief description. This is our Master Plan passed by Council. In it there's page after page after page which describes landscaping, streetscaping and beautification. The Service Garage contract is a three year contract beginning this year, so that leaves two more years. City Center, I believe, will be under construction before that time. And we're also working with ODOT at the entrances to our city, to beautify them and get signs up there that say Welcome to Brooklyn, and have flower beds and trees and such. It's something we wanted to work into the program. Upon Council's recommendation I have instructed our Law Director to work with the union to remove that classification from the contract. And you'll get back to us on that Tom."

Director Shaper: "Yes I will."

Mayor Patton: "Although I do believe that is something we're going to need in the future, whether it be a



MINUTES OF A REGULAR MEETING  
BROOKLYN CITY COUNCIL  
May 22, 2006

contractor or whether it be an on-staff member. The community guides have been reprinted with the corrections by the printer, and at no cost to the city. Ohio Parks and Recreation Association has awarded the City of Brooklyn their Bronze Community Award for their Healthy Ohioans Community Awards. We will receive this award on August 4th in Columbus, and it pertains to the programs that we offer, and also the health food choices that are offered. Brooklyn has been chosen as the host city for Tree City USA awards in the year 2009, which also coincides with our 25th anniversary. I wish to thank Leana DiNafrio and the Brooklyn Sun News for the nice articles on our recreation upgrades to our baseball diamonds, and the article also about the Chamber of Commerce. It's good to work with our city businesses. Wednesday, this Wednesday, May 24th at 6:30 the Brooklyn Police Department will be putting on a one hour program, Protecting Your Home Against Crime and Personal Safety. And this will be recorded for replay on the cable stations. So please attend if you can. It's Wednesday at 6:30. The governing board of the First Suburbs Consortium has voted to recommend the City of Brooklyn as a new member. The acceptance vote will be at their June 2nd meeting, and it will be voted on by the current member cities. As Mayor of the City of Brooklyn I have set my sights on many goals. A growing community, a safer community, a better quality of life. We are respected by the other communities for our proactive and positive programs and services. As Mayor you take the good with the bad. Always continue for the success of the city. There are many times when I have to bite my lip or accept unjust criticism. Tonight I will state facts on our city plans to supply a shelter for animals. All Councilmembers have been given this information, and should be aware of these facts. And as Mr. John Frey said last meeting, our animal shelter is becoming a political football, and that is the worst thing that could possibly happen to it. At the last meeting a Councilwoman said, 'Recently the Brooklyn Sun News reported that the cost of the Brooklyn Animal Shelter is now close to a half a million dollars. I was astonished by this figure, especially when the city originally placed the cost of building the shelter at close to 100,000.' The fact is, all of Council received a copy of the architect's letter at the April 24th Finance meeting, it was handed to them. The letter stated that the total estimate was 428,000. The original estimate was 56,000. Also stated at the last meeting, 'I also recently heard that now the city's saying the proposed site at the city garage is also unworkable because of utilities, and they're unable to at the proposed site. I feel the city's dragging its feet on the project and their actions are unconscionable.' This is false. Utilities are available, and would have to be additional runs to be installed to accommodate the shelter. Additional facts. The proposal from the Brooklyn Animal Shelter, Inc. to the City of Brooklyn Council on May 23, 2003, number 11 states that the city shall not be responsible for any funds except the \$56,000 construction and utility cost. Now remind you, that's May 23, 2005. At an August 8th meeting, Council meeting, President Shirley Palumbo stated, at the Council meeting, this proposal was presented to the Finance Committee, including all members of Council, on May 23, 2005. The proposal reads in part, 'The City of Brooklyn, Ohio agrees to pay for and construct a suitable building on the east side of the service garage. The building will serve as an animal shelter operated by the Brooklyn Animal Shelter, Inc. Estimated cost is \$56,000. The change from 50,000 to 56,000 came from a discussion between the city and Brooklyn Animal Shelter, during which a very small 500 square foot building was discussed. Brooklyn Animal Shelter stated in its intention to raise matching funds, either in-kind donations or materials or monetary donations. We knew that we needed more space. The rough drawing that you have in your hands is approximately 40 x 30 foot building. This is what I gave you last meeting, which is approximately 1200 feet. And this accommodates for quarantine and isolation, etc. That same evening Brooklyn City Council passed an Ordinance 2005-12, providing up to \$56,000 for the construction of the animal shelter. City of Brooklyn administration met with the Brooklyn Animal Shelter, including our President of Council, sat down and knocked out a timeline, an official paper of what's going to happen when. Item #3, architect to be hired to prepare the conceptual drawings. This is to happen and not take place until the Brooklyn Animal Shelter has \$18,000 in escrow. I moved ahead of time on this. I asked the architect who designed our fire department to donate his services, and he did. It is understood, this is at the bottom, that the City Council has committed \$56,000 for the project. This does not include any inflation cost. The drawing that was given to us was a 1600 square foot building. Let's stop with all the miss-truths and finger pointing and start dealing in reality and truth. Council, not the Mayor, has the ability to pass charter millage and pay for the construction right now. Is that what you want to do? No one can build a 1600 square foot building, with proper ventilation required, for \$56,000. In 2005 1.53 cats per week were caught by Greg Miller Animal Control Service, 1.07 dogs per week. In 2006 1.6 cats per week, 1.15 dogs per week. If the Petro property is purchased, let's have an architect check to see if one of the buildings on the property could be used for the shelter, and get the project underway, without finger pointing. If it is not suitable, let's build a 500-600 square foot building and get the shelter going. Shirley and the Brooklyn Animal Shelter has worked too hard to let this continue on. We have some Olympics going on, and some of our seniors have scored very well.

MINUTES OF A REGULAR MEETING  
BROOKLYN CITY COUNCIL  
May 22, 2006

This is the Senior Citizen Resource, Inc. 21st Annual Senior Olympics. In the beanbag toss competition, in the men's division, 70-79 year old, Brooklynite Martin Hyson won the gold. Same division, 90 and up mixed, the gold was Corrine Hughes. In the best overall female, and we won't give ages anymore, Sandy Kibort. I will give this age. 90 years of age, best overall female, Corrine Hughes. Eldest female participant, Corrine Hughes, by one month and three days. Women's division of horseshoes, Joanne Neville won the bronze. In the lawn toss, men's division, Glenn Stroud won the gold. And in the next men's division, Rich Wilson won the gold, Martin Hyson won the silver. Next division of men's, Hugo Stockman won the silver; and in the women's division, Sandy Kibort won the silver, Helen Wilson won the bronze. And finally, in the 90 and up division, Corrine Hughes. In bowling, men's series, we had Glenn Stroud win a bronze, we had Marty Hyson win the next category up in silver. In the women's series we had Sandy Kibort win the silver. Bowling high game, men's division, was Glenn Stroud. In darts, men's division, Glenn Stroud won the gold. Women's division, Kathleen Malencky won the bronze. Corrine Hughes won the silver. The triathlon, Helen Wilson won a bronze. Basketball throw, Glenn Stroud won the bronze. In women's division, Sandy Kibort won the bronze. Division 90 and up mix, Corrine Hughes won the gold. Badmitten, gold place winners, gold medal winners were Helen Wilson and Dick Wilson. Bronze was Sandy Kibort and Joanne Neville. In volleyball the gold was given to Joanne Neville and Sandy Kibort, and a bronze went to Louise Easton, Helen Wilson and Dick Wilson. And finally, in billiards the bronze went to Dick Stroud and Dick Wilson. Congratulations to all. The Senior Celebration lunch and dance will be May 25<sup>th</sup>. Lunch will be served 11:30, dancing at 1:00, with music provided by Bob Spiwak. The cost is \$7. Lunch includes stuffed pork chops, whipped potatoes, vegetables, tossed salad, lemon cake and beverage. And tickets are on sale at the Senior Center. The Mammo-Van will be coming to the Brooklyn Senior Center on Wednesday, June 7<sup>th</sup> between 9 a.m. – 3 p.m. Breast cancer will develop in one out of every eight women. Early detection through mammography shows cure rates approachable of 100%. If you're interested in this service please call the Senior Center and register for an appointment. Senior Center will be closed Memorial Day, May 29<sup>th</sup>. Blood pressure reading will be May 25<sup>th</sup> from 10-11 by the Brooklyn Paramedics, and every Tuesday from 1-2:30 by Lutheran Hospital. The Laurel Garden Club will have its card party on Sunday, June 4<sup>th</sup> from 1-4:30. Tickets are \$5. Door prizes and raffle. Hot dogs, chips, dessert and beverage will be served, and tickets may be purchased at the Senior Center or by calling Barb Stanton, 398-5306. And that's my report."

President Balbier: "Thank you Mayor. Next we'll have the directors' reports, and the first is the Finance Director, Mr. Fisk."

Director Fisk: "Thank you Mr. Balbier. Our note sale was originally scheduled for May 11<sup>th</sup>. Because we had switched to a private sale with Key Bank, we were able to change that to May 9<sup>th</sup>. We knew that the Fed was having a rate hike meeting on May 10<sup>th</sup>, and there was a possibility of a hike, so we changed out date. The note was sold on May 9<sup>th</sup> for \$1,120,000 at a coupon rate of 4.25%, a premium of \$2,329.60, resulting in a net interest cost of 4.04%. For comparison, last year we sold \$1.5 million in notes at a 4% coupon with a \$60,000 premium, and a net interest cost of 2.96%. As we all know, short term rates have gone up much more than 1% over the past year. What I am particularly pleased about is that we laid out a plan two years ago, saying exactly what we intended to do, and when we intended to do it. The first of which was a \$4.3 million note sale last May, the last of which was a bond sale that would be conducted around the first of April of 2006. We accomplished those things right on schedule. And also in that process got a rating revue from Moody's that was very favorable. So the note sale was done, we got a favorable rate, and we met our schedule for funding of the fire station exactly on time. You also have before you the 2007 Tax Budget. It's on for first reading tonight. At 7:00 p.m. on Monday, June 12, there will be a public hearing on the Tax Budget. The proposed Tax Budget may be examined weekdays at Brooklyn City Hall between 8-4:30 at the Reception Desk, as well as at the Brooklyn Police Department during the evenings and weekends at any time. All interested citizens will have the opportunity to review the Tax Budget if they so desire. We'd like to pass the Tax Budget on June 26<sup>th</sup> and have it submitted to the County prior to the July 20<sup>th</sup> deadline. That's all I have for this evening, thank you."

President Balbier: "Thank you Mr. Fisk. Next is the Service Department, Mr. Kappler."

Director Kappler: "Thank you Mr. Balbier. This evening I'd like to report on a couple items. First is our city auction is being held Saturday, June 3<sup>rd</sup> at 9:30 a.m. at our Service Garage. The address is 9400 Memphis Avenue. We have the list of automobiles, bikes, and some equipment, in my office, or you can see it on our website. And the second thing is, senior grass. Due to the rain last week we are basically calling last week a

MINUTES OF A REGULAR MEETING  
BROOKLYN CITY COUNCIL  
May 22, 2006

wash-out. But I am going to guarantee one thing this evening, the weather looks good, we will cut everyone on our senior grass list this week, if it takes additional hours. But by Saturday everyone will be cut. And that completes my report."

President Albier: "Thank you Mr. Kappler. Mr. Ockington, do you have anything else to add to your previous statements?"

Comm. Ockington: "No, I'm all done."

President Albier: "Okay, thank you. Next is the Police Department, Chief Murphy."

Chief Murphy: "Thanks Mr. Albier. For quite a few years now the Police Department has had a program with University Hospital concerning helmets, bike helmets for kids, that we go from toddler size to some adults. This is due to quite a few injuries; actually, a half a million. So I want to remind the parents out there that these are really good deals. It's about a \$30 helmet for \$8. Stylish, the kids seem to like them. They're colorful and everything like that, so they don't mind wearing them. I think it's a good opportunity for people to get down here, and the officers at the Police Department can size them for them. And that's a very good deal, \$8. And that's all I have Mr. Albier."

President Albier: "Thank you Chief Murphy. Next is the Fire Department, Chief Duchoslav."

Chief Duchoslav: "Thank you. Good evening. Last Friday the 19<sup>th</sup> was the fifth time, fifth biennial pre-prom and graduation party drunk driving crash demonstration was put on for the Brooklyn High School students. Over 400 kids, sophomores, juniors and seniors. Lifeflight was cancelled, the landing of the helicopter, due to the weather. However, during the simulation, in conjunction with Brooklyn Police and Parma Hospital, the Brooklyn Police arrested a drunken driver. The Fire Department took a car apart and extricated several victims, one of which was DOA and placed on the ground and covered with a sheet in front of the children. And one was transported to a simulated emergency room set up in the auditorium. The kids then moved inside and Dr. Schikowski, our medical director from Parma Hospital, simulated a code, or lifesaving, measures on this young person, which, unfortunately, you know, simulated, ended in a tragic death of this person. You could hear a pin drop in the auditorium. And then to cap off the demonstration, and this happens in real life, and this was to put the message out to the kids, the parents were notified. Two teachers played parents, and parents came in and Dr. Schikowski, you know, we did everything we could and unfortunately your son has passed away. You never can tell if this does any good or not. How do you measure the success of something in terms of things that don't happen? But, you know, it's a message I think, it's a lot of work to put together, so we do that every other year for the high school kids. And it's not only drunken driving or substance abuse, it could be over tired and driving, it could be just a car-full of kids just having a joy drive, having a good time, going too fast, things like that. To get that message out to kids. If any of you are watching, please be careful. And the other item I have is, again, please be careful with candles. Candles are dangerous. Candles are a source of ignition. Their increase in popularity and so there's fires from that. So if you do use candles, when you leave the room, simple rules is extinguish it, blow it out. Once you're done with it, blow it out, and a lot of problem could be eliminated. And that's my report."

President Albier: "Thank you Chief. Next is the Law Department, Mr. Shaper."

Director Shaper: "Council, Mayor, Gale, I have a pop quiz for you guys. I want to know the last time the State or Federal Government took action which resulted in a municipality getting more money? I don't know the answer either. I don't think it's happened since I've been here. But I have seen the Federal Government tell us that we can't make money on what goes through our easements. Gale, I think you could enumerate a number of ways the State Government has taken money away from municipalities. I have no idea where the State gets off telling us what we can do on our taxes and what we can't do, and then imposes a different burden on themselves than they do on the municipalities. Greg, as vehement as you were, I think you are kind. I think this TEL is wrong in every sense, and I applaud what Council's going to do, what I think Council's going to do tonight. I want to thank the Cleveland Cavaliers for representing our city brilliantly, on and off the field. On you could debate it, off the field it's a classy group of people. They're going to Larry Hughes' brother's funeral is one of the classiest things I've ever seen in sports. And I'm proud to have a team that represented us so well."

MINUTES OF A REGULAR MEETING  
BROOKLYN CITY COUNCIL  
May 22, 2006

President Albier: "Thank you Mr. Shaper. The Recreation Department, Mr. Hammond."

Mr. Hammond: "As we mentioned earlier, we had super sign-ups this past weekend, and the only confusion we had is Craig showed up looking for the soup. But a lot of children showed up. We got 103 kids in the learn to skate program, 18 in the dance program, 43 signed up for soccer, 401 for the baseball program, we've got 70 so far in Day Camp, 265 in the learn to swim, tennis 13, summer basketball 42, and cheerleading 9. And hope to see everyone on Memorial Day."

President Albier: "Mr. Hammond, you said there's 401 kids in the baseball program. Do we have enough coaches?"

Mr. Hammond: "Yeah, we're all set."

President Albier: "Okay, good. And last is the Safety Director, Mr. Hilberg."

Dir. Hilberg: "Thank you Mr. Albier. The Chief talked about the thing I was going to talk about. The Mayor talked about something I was going to talk about. But on that drunk driving crash demo, the Police and Fire Department really did themselves proud in putting this on. It went great. And I think we should thank Inspector Kriausky for coordinating all this. It's a shame the helicopter couldn't come in. But it was a job well done. I don't know who pays attention when they come east on Memphis Avenue from Linndale, but as you go under the bridge, on the right hand side in front of Gateway Safety there is a piece of property on the hill that has been weeds for as long as I can remember. When I was a part-time building inspector I worked for four years to get these weeds cut. Didn't do any good. Finally this year, working with Mr. Ockington, he got ahold of Ferrous Metals, who owns part of the land, and I got in touch with a Mr. Manos who represents Mr. Stein, who lives in Philadelphia, who owns the other part, and we convinced them to get the weeds cut down, and some of the trees cut out of there. And it's about 80% better than it was. I mean, after four years, anything was better. But it got done. At a recent, well not recent, a couple months ago, staff meeting, the Mayor had gotten a call on a piece of concrete falling from the railroad bridge coming from Linndale on the street, and I tried for two months to contact the railroad, starting with some place in Virginia, then to Detroit, and finally got in touch with the supervisor for the Cleveland area. I talked with him on a Tuesday, he says I have a crew that's finishing up a job today, I'll have them there tomorrow. They went there on Wednesday, pulled down any loose concrete that was under the bridge. There was scaling of the walls, and all of it was falling down onto the sidewalk, the sidewalks were half covered. They cleaned all that up. And on Friday I contacted the Service Department, there was about a 12 foot section of dirt about a foot wide on the sidewalk, they went down and cleaned that up. And the place looks 100% better. I mean, it's a start on our beautification of the Memphis Avenue. There's more work to be done. I talked to Mr. Ockington and he says there's a possibility that we could go partnership with the ownership there and maybe get some flowers on that hill, get some more cut out of there, and get some flowers up there and make it start to look better. And the Mayor hit on the safety meeting that will be televised on Wednesday. I urge everyone to attend. There'll be some good information. There'll be a sign-up sheet. And if you are interested in a block watch program, you can indicate it on the sign-up sheet. And that's my report. Thank you Mr. Albier."

President Albier: "Thank you Mr. Hilberg. That completes the reports from directors. If anyone in the audience has any remarks they wish to make pertaining to the legislation on the agenda they can come forward at this point. If not, we'll move on. The first resolution is **RESOLUTION 2006-51**, a first reading. Adopting the Tax Budget for Fiscal Year 2007."

Clerk Fisk: "2006-5."

President Albier: "It's 2006-5. What did I say?"

Clerk Fisk: "51."

President Albier: "Oh, I'm sorry. 2006-5."



MINUTES OF A REGULAR MEETING  
BROOKLYN CITY COUNCIL  
May 22, 2006

Councilwoman Pucci: "Move to put on first reading."

Councilwoman Gallagher: "Second."

Clerk Fisk: "To place Resolution 2006-5 on first reading, Kathy Pucci."

"Colleen Gallagher."  
"Greg Frey."  
"Craig Patton."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Gallagher: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Patton: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

President Albier: "Next is **RESOLUTION 2006-6**. A Resolution to oppose the Constitutional Tax and Expenditure Limitation proposals."

Councilman J. Frey: "Move to adopt."

Councilwoman Pucci: "May I be recognized?"

President Albier: "Yes Mrs. Pucci."

Councilwoman Pucci: "I move we amend Resolution 2006-6 in the sixth whereas, the first line. We need to add the e to the word state. Right now it's stat. We need to make that state. And then I also would like to add a new Section 3 that states, 'We urge all the citizens of the City of Brooklyn and the State of Ohio to vote no on this issue.' And then the following sections would be renumbered accordingly 4 and 5."

President Albier: "Okay, we need a motion to..."

Councilwoman Pucci: "We need a second."

Councilwoman Gallagher: "Second."

Councilman Patton: "Second."

Clerk Fisk: "To amend Resolution 2006-6, Kathy Pucci."  
"Colleen Gallagher."  
"Greg Frey."  
"Craig Patton."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Gallagher: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Patton: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

Councilwoman Pucci: "Introduced by all, suspend the rules, as amended."

Councilwoman Gallagher: "Second."

Councilman G. Frey: "Second."

Clerk Fisk: "To suspend the rules, Kathy Pucci."  
"Colleen Gallagher."  
"Greg Frey."  
"Craig Patton."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Gallagher: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Patton: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

Clerk Fisk: "To approve Resolution 2006-6, as amended, Kathy Pucci."

"Colleen Gallagher."

Councilwoman Pucci: "Yea."  
Councilwoman Gallagher: "Yea."



MINUTES OF A REGULAR MEETING  
BROOKLYN CITY COUNCIL  
May 22, 2006

"Greg Frey."  
"Craig Patton."  
"John Frey."  
"Rich Albier."

Councilman G. Frey: "Yea."  
Councilman Patton: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

President Albier: "Next is **2006-35**, An Ordinance authorizing inter-fund transfers and advances during 2006. It's supposed to be on second reading, but we want to adopt it tonight, so I need a motion to suspend the rules."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilwoman Gallagher: "Second."

Clerk Fisk: "To suspend the rules on Ordinance 2006-35, Kathy Pucci."

"Colleen Gallagher."  
"Greg Frey."  
"Craig Patton."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Gallagher: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Patton: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

Clerk Fisk: "To adopt, Kathy Pucci."  
"Colleen Gallagher."  
"Greg Frey."  
"Craig Patton."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Gallagher: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Patton: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

President Albier: "Next is **ORDINANCE 2006-37**. Amending Chapter 737 of the Codified Ordinances of the City of Brooklyn, Ohio entitled 'Solicitors and Peddlers'. And this is to be put on first reading."

Councilwoman Gallagher: "Move to put on first reading."

Councilman Patton: "Second."

Clerk Fisk: "To place Ordinance 2006-37 on first reading, Kathy Pucci."

"Colleen Gallagher."  
"Greg Frey."  
"Craig Patton."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Gallagher: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Patton: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

President Albier: "**ORDINANCE 2006-38**, also to be put on first reading. Creating a new Chapter 763 entitled 'Public Dance Halls; Teen Dance Clubs' of the City of Brooklyn Codified Ordinances, in order to regulate dance halls and teen dance clubs."

Councilman J. Frey: "Move to put it on first reading."

Councilwoman Pucci: "Move to put on first reading."

Councilman Patton: "Second."

Councilwoman Gallagher: "Second."

Clerk Fisk: "To place Ordinance 2006-38 on first reading, Kathy Pucci."

Councilwoman Pucci: "Yea."

MINUTES OF A REGULAR MEETING  
BROOKLYN CITY COUNCIL  
May 22, 2006

"Colleen Gallagher."  
"Greg Frey."  
"Craig Patton."  
"John Frey."  
"Rich Albier."

Councilwoman Gallagher: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Patton: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

President Albier: "Next is **ORDINANCE 2006-39**. Authorizing the City of Brooklyn, Ohio to become a member of, adopting the Code of Regulations of, and directing the Mayor to enter into the Membership Agreement, the Master Services and Consulting Agreement, and the Master Product Agreement with the Northeast Ohio Sourcing Office, known as NEOSO."

Councilwoman Pucci: "Introduced by all, suspend the rules."

Councilman Patton: "Second."

Clerk Fisk: "To suspend the rules, Kathy Pucci."  
"Colleen Gallagher."  
"Greg Frey."  
"Craig Patton."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Gallagher: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Patton: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

Clerk Fisk: "To adopt Ordinance 2006-39, Kathy Pucci."  
"Colleen Gallagher."  
"Greg Frey."  
"Craig Patton."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Gallagher: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Patton: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

President Albier: "Next is **ORDINANCE 2006-40**, also to be placed on first reading. Authorizing the Mayor of the City of Brooklyn to pay an incentive to employees able to opt-out of medical coverage under the city's medical plan."

Councilman Patton: "Move to put it on first reading."

Councilman G. Frey: "Second."

Councilwoman Pucci: "Second."

Clerk Fisk: "To place Ordinance 2006-40 on first reading, Kathy Pucci."

"Colleen Gallagher."  
"Greg Frey."  
"Craig Patton."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Gallagher: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Patton: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

President Albier: "Next is **ORDINANCE 2006-41**. Authorizing the Mayor to enter into an agreement with Jerome and Barbara Petro for the purchase of certain real property known as 8300 Memphis Avenue, parcel #431-20-005, the west property, and property #431-21-035, the east property, and any related properties owned by the Petros located within one mile of the future Brooklyn fire station."

Councilwoman Pucci: "Mr. Albier, may I ask Mr. Shaper a question?"

President Albier: "Yes Mrs. Pucci."

MINUTES OF A REGULAR MEETING  
BROOKLYN CITY COUNCIL  
May 22, 2006

Councilwoman Pucci: "Since this involves a purchase of property, do you suggest we put it on first reading, or do you suggest we just pass it tonight?"

Director Shaper: "Normally I'm a fan of having everything goes to three readings. I'm under a time limitation on this one. It would be appreciated, if you intend to pass it, the earlier the better."

Councilwoman Pucci: "Okay. Introduced by all, suspend the rules."

Councilwoman Gallagher: "Second."

Councilman G. Frey: "Second."

Clerk Fisk: "To suspend the rules on Ordinance 2006-41, Kathy Pucci."

"Colleen Gallagher."  
"Greg Frey."  
"Craig Patton."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Gallagher: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Patton: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

Clerk Fisk: "To adopt, Kathy Pucci."  
"Colleen Gallagher."  
"Greg Frey."  
"Craig Patton."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Gallagher: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Patton: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

President Albier: "Does the Council or the Mayor have anything else they wish to bring forward to the Council meeting tonight?"

Councilwoman Pucci: "May I be recognized Rich?"

President Albier: "Yes Mrs. Pucci."

Councilwoman Pucci: "I just have a couple of very quick things. First I'd like to congratulate all our seniors who participated and won awards at the Senior Olympics. I think that's really great. Secondly, regarding the animal shelter, I too did not want to see this become a political football. But one thing I'd like to interject is, on those statistics, I know for a fact that we have more animals than that in our city. And there's several factors ~~have~~ *that* play into that. First, a lot of people are not calling because they do not want the animals to end up in Oakwood Village. Second, when we had our own animal control, we were able to respond in a timely manner to whatever incident was occurring. Now, a lot of times, by the time somebody gets here from this outside contractor, the animal's gone and they can't find them, or as we experienced recently, I think it was on Saturday morning, they didn't want to call them until the resident who had this lost pet ended up on their street. They were told to try and corral the dog in their own yard, which this resident was unable to do that. So there are more animals in our community. The other thing about the helmets, actually, I was the one who brought the Safe Kids helmets here with Rainbow. I would too like to encourage people to do that. But I also want to remind people we do have an ordinance for the helmets. Under 14 you have to wear a helmet if you're riding a bike, roller blading, skating or skateboarding. And Mr. Frey, just one quick thing. You mentioned that some of us were out of town and we missed the rain. Where I went to pick up my son they had the worst floods in *seventy* years, so I didn't miss anything."

Councilman J. Frey: "Yes, they did."

Councilwoman Pucci: "Thanks."

President Albier: "Does anyone else care to speak? You're up Mr. Frey."

MINUTES OF A REGULAR MEETING  
BROOKLYN CITY COUNCIL  
May 22, 2006

Councilman J. Frey: "I move we adjourn."

Councilman Patton: "Second."

Councilwoman Pucci: "Second. Mr. Shaper, I've got a quick question for you after the meeting, thanks."

Clerk Fisk: "To adjourn, Kathy Pucci."  
"Colleen Gallagher."  
"Greg Frey."  
"Craig Patton."  
"John Frey."  
"Rich Albier."

Councilwoman Pucci: "Yea."  
Councilwoman Gallagher: "Yea."  
Councilman G. Frey: "Yea."  
Councilman Patton: "Yea."  
Councilman J. Frey: "Yea."  
Councilman Albier: "Yea."

Meeting adjourned at 8:15 p.m.

---

Clerk of Council

---

MAYOR